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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2009 JUL 13 AM 8:17 /

JEANNE HICKS, CLERK

BY: N. Seguir

11 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

12 IN AND FOR THE COUNTY OF YAVAPAI

13 STATE OF ARIZONA,

14 Plaintiff,

15 vs.

16 STEVEN CARROLL DEMOCKER,

17 Defendant.

) No. CR 2008-1339

) Div. 6

) **DEFENDANT'S MOTION FOR**
) **TRANSCRIPTS PURSUANT TO**
) **A.R.S. § 12-302**

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19
20 Defendant Steven C. DeMocker, by and through counsel, hereby moves this
21 Court to waive transcript costs under A.R.S. § 12-302.

22 **MOTION**

23 In order to prepare for trial, Mr. DeMocker's counsel require a copy of the
24 transcript of the evidentiary hearing on Mr. DeMocker's Motion for a New
25 Determination of Probable Cause and his Motion for Modification of Conditions of
26 Release (Simpson hearing). Several of the State's expected trial witnesses testified at
27 the hearing. Also, matters relevant to Mr. DeMocker's pre-trial motion practice were
28

1 testified to at the evidentiary hearing as well. The court reporter has advised counsel
2 that the County Attorney has already ordered a transcript of the hearing, therefore Mr.
3 DeMocker will only be charged the cost of a copy of the transcript. The court reporter
4 advised that the cost for a copy of the transcript is \$621.50.

5 Under A.R.S. § 12-302, the Court shall waive certain fees and costs when a
6 determination has been made that an applicant is permanently unable to pay fees and
7 costs. See A.R.S. § 12-302 D. M. DeMocker has been determined to be indigent by this
8 Court. Therefore, Mr. DeMocker hereby requests that this Court waive the costs
9 associated with his receiving a copy of the transcript of the hearing on his Motion for a
10 New Determination of Probable Cause and his Motion for Modification of Conditions
11 of Release (Simpson hearing), pursuant to A.R.S. § 12-302.

12 **CONCLUSION**

13 For these reasons, and any adduced at any hearing on this matter, Mr. DeMocker
14 requests that the Court waive the costs associated with his receiving a copy of the
15 transcript of the hearing on his Motion for a New Determination of Probable Cause and
16 his Motion for Modification of Conditions of Release (Simpson hearing).

17 DATED this 13th day of July, 2009.

18
19 By: 

20 John Sears
21 107 North Cortez Street, Suite 104
22 Prescott, Arizona 86301

23 OSBORN MALEDON, P.A.
24 Larry A. Hammond
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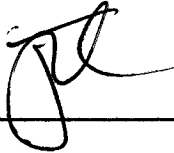
1 ORIGINAL of the foregoing filed
2 this 13th day of July, 2009, with:

3 Jeanne Hicks,
4 Clerk of the Court
5 Yavapai County Superior Court
6 120 S. Cortez
7 Prescott, AZ 86303

8 COPY of the foregoing hand delivered
9 this 13th day of July, 2009, to:

10 The Hon. Thomas B. Lindberg
11 Judge of the Superior Court
12 Division Six
13 120 S. Cortez
14 Prescott, AZ 86303

15 Joe Butner
16 Deputy Yavapai County Attorney
17 Prescott courthouse drawer

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